

REMARKS/ARGUMENTS

Reconsideration of this application is respectfully traversed.

The rejection of claims 1-2, 9-11 and 18 under 35 U.S.C. §102 as allegedly anticipated by Kenner '007 is respectfully traversed.

The Kenner prior art is already discussed in the paragraph bridging pages 4 and 5 of applicant's specification. As therein already explained, at least one disadvantage of the Kenner system is that it requires the users to be provided with special software which they then need to execute on their own machines.

One of the advantages of applicant's invention is already recited in original independent claims 1 and 10 is that the data providers are required to perform five identified steps. To further emphasize this aspect of applicant's invention, claims 1 and 10 have been amended above so as to even more explicitly note that, since it is the data providers which are performing these five steps, those steps are performed without requiring the client to install or execute additional software.

At page 3, lines 5-21 of the Office Action, the Examiner alleges that such means for instructing the data providers to perform the recited steps may be found in Kenner at paragraphs such as 38, 39, 45, 47, 75, 76 and 77. However, even a brief review of, for example, paragraph 38 makes it clear that the processing steps being referenced by the Examiner are part of the "configuration utility" 34 which is part of the software found at the user terminal 12 (e.g., see Figure 1). Indeed, as explicitly taught (e.g., see paragraph

53), the Kenner configuration utility 34 must be run by the user before the user terminal 12 even has access to the system. Furthermore, the operation of the configuration utility 34 is shown in detail at Figure 2 which, among other things, includes the “perform tests” block 46.

Accordingly, it is respectfully submitted that applicant’s earlier analysis of the Kenner prior art is correct. Namely, one of its disadvantages is that it requires users to be provided with software which they then need to execute on their own machines. This clearly teaches away from applicant’s claimed invention which requires the data providers to perform the five enumerated steps in independent claims 1 and 10.

Given such a fundamental deficiency of Kenner with respect to independent claims 1 and 10, it is not believed necessary to discuss additional deficiencies of this reference with respect to other features of the independent claims 1 and 10 or of the rejected dependent claims. Suffice it to note that, as a matter of law, it is impossible for a reference to anticipate any claim unless it teaches each and every feature of that claim.

The rejection of claims 3, 7-8, 12 and 16-17 under 35 U.S.C. §103 as being made “obvious” based on Kenner ‘007 in view of Mineo ‘493 is also respectfully traversed.

Fundamental deficiencies of Kenner have already been noted with respect to independent claims 1 and 10. Mineo does not supply those deficiencies.

Accordingly, it is not believed necessary at this time to discuss the additional deficiencies of this allegedly “obvious” combination of references.

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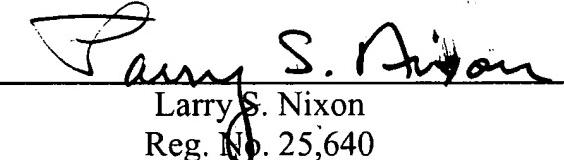
Similarly, the rejection of claims 4-6 and 13-15 under 35 U.S.C. §103 as allegedly being made "obvious" based on Kenner in view of Yahagi '978 is also respectfully traversed.

Once again, fundamental deficiencies of Kenner have already been noted above with respect to parent claims 1 and 10. Yahagi does not supply those deficiencies. Accordingly, it is not believed necessary at this time to discuss the additional deficiencies of this allegedly "obvious" combination of references.

Accordingly, this entire application is now believed to be in allowable condition and a formal Notice to that effect is respectfully solicited.

Respectfully submitted,

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